



BRENNAN ENVIRONMENTAL, INC.
Environmental Consulting Services

8 Great Meadow Lane / Unit D
East Hanover, NJ 07936-1703
Writer's e-mail address: pficuciello@bei-env.com

166456



T. 973.781.1801
F. 973.781.1804
www.bei-env.com

Regular Mail

June 18, 2001

Kathleen Rogacki, Case Manager
NJDEP-BCM
401 East State Street, PO Box 028
Trenton, NJ 08625-0028

Re: Quarterly Remedial Progress Report
Tidewater Baling
26 St. Charles Place
Newark, NJ
NJDEP Case #92036
BEI Job #99186

Dear Ms. Rogacki:

Brennan Environmental, Inc. (BEI) is pleased to provide this Remedial Progress Report for the remedial activities that have been conducted at the subject property since BEI's May 2, 2001 Progress Report was submitted to you.

The subject property has been cleared of all metal scrap that was stored in the area to be remediated. Therefore, the property is now in a condition where site remediation may commence. It is BEI's understanding that the NJDEP's May 17, 1995 approval correspondence of the 1995 Remedial Action Work Plan (RAWP), prepared by Environmental Waste Management Associates (EWMA), is the most recent NJDEP correspondence that provides guidance on the cleanup of the site. It is also BEI's understanding that the NJDEP identified this correspondence in the February 15, 2001 meeting at the NJDEP as the document to refer to for the continued remediation of the subject property. According to the EWMA RAWP, the Non-Residential Direct Contact Cleanup Criteria (NDCC) was proposed to be the cleanup standard for soil since the Residential Direct Contact Cleanup Criteria was estimated to not be economically feasible. The NJDEP acknowledged that the cost to remediate the subject property to the more stringent Residential Direct Contact Criteria would be "prohibitive," and conditionally accepted use of the NDCC in the NJDEP's May 17, 1995 RAW approval correspondence.

Prior to initiation of excavation activities, BEI requests confirmation that the NJDEP accepts application of the NJDEP NDCC to the subject case. If so, BEI proposes to remediate to this

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standard and obtain a Deed Notice for the property. Further, BEI proposes a 100,000 part per million (ppm) site wide standard for total petroleum hydrocarbons (TPHC). If this standard is acceptable, then soils will be remediated to this standard, and then Tidewater Baling Corp. would ensure that the use of the property be restricted to non-residential or compatible use, and that access to the site be restricted in accordance with the May 17, 1995 NJDEP correspondence.

The subject property is an ideal location for implementing the aforementioned TPHC standard. Specifically, ground water sampling results have never indicated the presence of impacts due to site usage; the site is underlain by a cobblestone barrier, which appears to have prevented surface spills from seeping deeper than a few feet from site grade; and the site is located in a revitalized neighborhood that is rebounding with new construction. Redevelopment of the subject property, which would be accelerated by the approval of this cleanup, would greatly improve the character of this neighborhood.

Ironbound Stadium Scoreboard Area Soil Pile

BEI contacted Ms. Mary Ann Adjepong, Assistant Director of the Newark's Department of Engineering on several occasions by phone and has followed up with correspondence to obtain information regarding the disturbance of soils at the Ironbound Scoreboard Area. To date, BEI has received no information from Ms. Adjepong or the Newark Department of Engineering.

Soil Erosion Permit

Please be advised that BEI has prepared a Soil Erosion Permit. The permit is required by the City of Newark for areas of disturbance greater than 5,000 square feet. The permit will be submitted to the Newark Department of Engineering, upon confirmation that the NDCC may be utilized at the site.

Implementation Schedule

The following is an updated implementation schedule with important events included to create a timeline. Implementation of soil excavation will be subject to NJDEP and Tidewater's agreement of an approved soil cleanup criteria.

Status or anticipated completion date	Task
Complete	Sample existing monitoring wells
Complete	Meeting at NJDEP.
Complete	Tidewater Baling starts to decommission site by removing all scrap and debris.
Complete	Negotiations for sale of subject property cease, transaction cancelled.
Pending	Receive information from Newark Engineering Department regarding status of scoreboard soil pile
Pending	Schedule soil removal for Ironbound Stadium scoreboard area soil pile



Status or anticipated completion date	Task
Complete	Tidewater to complete scrap removal
On hold	Soil Erosion Permit to be submitted to Newark Engineering
6/11/01	Submit Quarterly Progress Report
On hold	Newark Engineering estimated approval date of Soil Erosion Permit
*7/9/01	Schedule excavating contractor
*8/2/01	Begin install of erosion control measures
*8/23/01	Obtain underground utility mark outs; notify NJDEP of work schedule at site
*9/1 to 9/30/01	Perform excavation activities as per an approved RAW as well as post excavation soil sampling; submit samples to laboratory.
*10/24/01	Receive post excavation soil sample results
*11/1 to 12/30/01	Prepare Remedial Action Report
*1/2/02	Submit Remedial Action Report to the NJDEP for review.

*These anticipated dates assume approval; of the NDCC by July 1, 2001

Please call me at our East Hanover office to discuss the issues in this letter

Sincerely,
Brennan Environmental, Inc.



Peter Ficuciello, Project Manager

cc: Alan Shapiro
Richard Levao, Esq., Drinker Biddle & Shanley LLP
Mary Ann Adjepong, P.E., Newark Engineering Department

